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Attorneys For Defendant
CITY AND COUNTY OF SAN FRANCISCO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ELBERT HARRIS, III,

Plaintiff,

vs.

CITY AND COUNTY OF SAN
FRANCISCO, DEPARTMENT OF
PUBLIC HEALTH; ROBERT THOMAS,
Director of Human Resources, Laguna
Honda Hospital and Rehabilitation Center;
and LARRY BEVAN, Licensed Psychiatric
Technician, Laguna Honda Hospital and
Rehabilitation Center, and DOES 1 through
25,

Defendants.

USDC NO. CV 08 - 2353 PJH

E-FILING CASE

**JOINT STATUS CONFERENCE STATEMENT
RE APPROVAL OF THE SETTLEMENT
AGREEMENT**

Hearing Date: February 25, 2010
Time: 2:00 p.m.
Place: 3rd floor, Courtroom 3
(Oakland Location)

1 On September 29, 2009, the parties in the above-referenced action reached a settlement in this
2 case, subject to the approvals of SEIU Local 1021, the San Francisco Department of Public Health, the
3 San Francisco Health Commission, and the San Francisco Board of Supervisors. Per the parties'
4 agreement, the settlement is not final and binding unless and until these approvals are obtained.

5 On October 24, 2009, the Court scheduled a status conference for February 25, 2010 so the
6 parties can update the court on the status of the settlement approval process. The parties hereby
7 submit this joint status conference statement.

8 The settlement agreement has been approved and signed by SEIU Local 1021 and the Director
9 of the San Francisco Department of Public Health. In a meeting on February 2, 2010, the San
10 Francisco Health Commission approved the settlement agreement.

11 The City Attorneys' Office will submit the settlement agreement to the Board of Supervisors
12 for consideration and approval. That process may take between 60 to 90 days because, in addition to
13 having the Rules Committee review the settlement agreement, and making a recommendation to the
14 full Board, by law the Board has to conduct two readings of the settlement agreement before final
15 passage. Once the Board approves the settlement, the Mayor has 10 days to approve or veto the
16 Board's approval. Thus, the parties request that the Court continue the status conference for at least 90
17 days (or some time after May 2010). The parties will notify the Court if and when the settlement
18 checks are disbursed prior to the continued status conference date.

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1 Counsel for the City notes that she has a case (*Cook v. City and County of San Francisco*, SF
2 Superior Court Case No. CGC 07-462280) scheduled for trial starting on Monday, February 22, 2010.
3 If possible, she respectfully requests that the Court advise the parties by February 24 whether the
4 February 25 status conference is continued. If not, and if the *Cook* case is assigned to a courtroom,
5 she will make arrangement to have a colleague attend the status conference on her behalf.

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7 Dated: February 19, 2010

Respectfully submitted,

8 DENNIS J. HERRERA
9 City Attorney
10 ELIZABETH S. SALVESON
11 Chief Labor Attorney
12 ADELMISE ROSEMÉ WARNER
13 Deputy City Attorney

14 By: _____/S/_____
ADELMISE ROSEMÉ WARNER

15 Attorneys for Defendants
16 CITY AND COUNTY OF SAN FRANCISCO, ET
17 AL.

18
19 Dated: February 19, 2010

LAW OFFICES OF CURTIS G. OLER

20 By: _____/S/_____
21 CURTIS G. OLER

22 Attorney for Plaintiff
23 ELBERT HARRIS, III
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[PROPOSED] ORDER

The Court, having reviewed and considered the Joint Status Conference Statement of the parties in the above-captioned matter, hereby orders as follows:

The February 25, 2010 status conference regarding the settlement agreement is hereby continued May 27, 2010.

IT IS SO ORDERED.

DATE: 2/22/10

